

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4484 of 2026

Arising Out of PS. Case No.-77 Year-2025 Thana- GAUNAHA District- West Champaran

Jafir Ahmad @ Jaakir Ahmad S/o Sheikh Hasnain, Resident of- Madhopur,
Amolwa, P.S - Gaunaha, District - West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Alwina Khatun W/o Jafir Ahmad D/o Mir Hasan @ Sheikh Bhola, Resident of - Madhopur, Amolwa, P.S - Gaunaha, District - West Champaran Present Resident of - Behind Registry Office, Ward No. 12, Narkatiyaganj, P.S - Shikarpur, District - West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bimlesh Kumar Pandey, Advocate
For the State	:	Mr. Shailendra Kumar, APP
For the Informant	:	Mr. Sanjeev Kumar, Advocate
		Mr. Sitesh Kashyap, Advocate
		Mr. Raushan Raj, Advocate

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 04-02-2026 Heard learned counsel for the petitioner and learned
APP for the State as well as learned counsel for the Informant.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Gaunaha P.S. Case No. 77 of 2025, dated
01.06.2025, registered for the offences punishable under
Sections 341, 323, 354B, 379, 498A and 506/34 of the Indian
Penal Code and Section 3 and 4 of D.P. Act.

3. As per allegation, the marriage between the
petitioner and the informant was solemnized seven years ago
and after the marriage, demand of dowry developed and on



account of non-fulfillment of the same, she was being subjected to torture. There is also one male child born out of the wedlock.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that on account of some wear and tear, the married life started running into rough weather. He further submits that petitioner is willing to keep his wife along with himself in his matrimonial home and he also filed one matrimonial petition for restitution of conjugal rights bearing Matrimonial Case No. 170 of 2025 pending in the Court of learned Principal Judge, Family Court, West Champaran at Bettiah.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has one criminal antecedent.

7. Learned counsel for the informant also submits that informant-wife is also willing to live with the petitioner-husband along with child and she will attend the restitution case and she will also go together with the husband-petitioner to live in his matrimonial home.



8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court below, in connection with Gaunaha P.S. Case No. 77 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023, and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

9. Learned counsel for the petitioner will communicate the next date of hearing of the Matrimonial Case



No. 170 of 2025 to learned counsel for the informant within one week.

(Jitendra Kumar, J.)

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